

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

FILED

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U.S. DISTRICT COURT
N.D. OF ALABAMA

Sub

BARBARA JUSTICE,

Plaintiff,

vs.

JHF HOLDINGS, INC.,

Defendant.

CIVIL ACTION NUMBER

96-C-0516-S

ENTERED

AUG 5 1997

**MEMORANDUM OF OPINION ON DEFENDANT'S
SUMMARY JUDGMENT MOTION**

Defendant has moved for Summary Judgment on all of plaintiff's claims. Because of genuinely disputed factual disputes on the claims of age and gender discrimination, the Motion For Summary Judgment must be denied on those grounds.

On the other hand, there is no dispute but that plaintiff was terminated pursuant to a sale of the defendant's retail furniture operations to another entity. There is no evidence that plaintiff's termination was motivated by any of the statutorily-proscribed reasons. Therefore, defendant is entitled to Summary Judgment on the discharge issue.

Accordingly, by separate order, the Motion for Summary Judgment will be granted in part and overruled in part.

DONE this 5th day of August, 1997.

U. W. Clemon

UNITED STATES DISTRICT JUDGE
U. W. CLEMON

30